

REMARKS

Claims 3-8 and 11-16 are pending in this application. By this Amendment, claims 1, 2, 9, 10 and 17-25 are cancelled without prejudice or disclaimer.

Entry of the amendments is proper under 37 CFR §1.116 since the amendments: (a) place the application in condition for allowance (for the reasons discussed herein); (b) do not raise any new issue requiring further search and/or consideration (since the amendments amplify issues previously discussed throughout prosecution); (c) satisfy a requirement of form asserted in the previous Office Action; (d) do not present any additional claims without canceling a corresponding number of finally rejected claims; and (e) place the application in better form for appeal, should an appeal be necessary. The amendments are necessary and were not earlier presented because e.g. they are made in response to arguments raised in the final rejection. Entry of the amendments is thus respectfully requested.

Reconsideration based on the above amendments and following remarks is respectfully requested.

I. **Allowable Subject Matter**

Applicant appreciates the April 20, 2005 Office Communication's indication that claims 3-8 and 11-16 are allowed.

II. **The Claims Define Allowable Subject Matter**

The Office Action rejects claims 1, 2, 9, 10 and 17-25 under 35 U.S.C. §102(e) over U.S. Patent No. 6,335,728 to Kida et al.

By this Amendment, claims 1, 2, 9, 10 and 17-25 are cancelled and thus this rejection is now moot. Withdrawal of the rejection is respectfully requested.

III. **Conclusion**

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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